

Serena Viswanathan Associate Director Division of Advertising Practices United States of America FEDERAL TRADE COMMISSION Washington, D.C. 20580

February 22, 2022

# CEASE AND DESIST DEMAND

*VIA EMAIL TO* <u>info@naturesfulvic.com</u> Nature's Fulvic 34320 S. 620 Road Grove, Oklahoma 74344

Re: Unsubstantiated claims for Coronavirus prevention and/or treatment

To Whom It May Concern:

This is to advise you that FTC staff has reviewed your website at <u>https://naturesfulvic.com/</u> in January 2022. We also reviewed your social media website at <u>https://www.facebook.com/Natures-Fulvic-Company-362619147146418</u>, where you direct consumers to your website, <u>https://naturesfulvic.com/</u>, to purchase humic/fulvic acid supplements. We have determined that you are unlawfully advertising that certain products treat or prevent Coronavirus Disease 2019 (COVID-19).

Some examples of Coronavirus prevention or cure claims on your website <u>https://naturesfulvic.com/</u> include:

• On the homepage of your website <u>https://naturesfulvic.com/</u>, there is a graphic that includes a depiction of a coronavirus (a round object covered in colored spikes) and the text:

#### "Virus Protection & Fulvic Acid

Research shows that humic acid, of which fulvic acid forms part, binds so strongly to viruses that it can actually displace them from a cell surface. In vitro studies have shown, for example, that if you allow herpes simplex viruses to attach to host cells and then add humic acid to the solution, it will displace viruses from infected cell surfaces. That is, humic acid has a greater affinity for the virus than the virus does for the host cell. Thus, humic acid can actually displace a virus even after it has attached itself to the surface of a cell."

This graphic, including the coronavirus depiction and all of the statements quoted above, also appears on: the webpage <u>https://naturesfulvic.com/store/</u>, accessible by selecting "SHOP" in your website navigation menu or clicking on a prominent "SHOP NOW" button that appears throughout your website; and the webpage for each individual product offered for sale in your online store, including the pages where consumers may purchase Nature's Fulvic Multi Minerals (<u>https://naturesfulvic.com/store/Daily-Maintenance-Fulvic-Multi-Minerals-p82338813</u>), Nature's Fulvic Daily Maintenance Vitamins & Minerals (<u>https://naturesfulvic.com/store/Daily-Maintenance-Vitamins-&-Minerals-p82338802</u>), and Nature's Fulvic AR Acid Reflux Formula (<u>https://naturesfulvic.com/store/AR-Acid-Reflux-Formula-p82338766</u>).

• On the homepage of your website <u>https://naturesfulvic.com/</u>, you state:

#### **"Immunity Defense**

Nature's Fulvic protects our cells by binding and coating dangerous viruses, preventing them from attaching and taking over healthy cells, then sends a signal to our immune system to eliminate these viruses."

• On the webpage <u>https://naturesfulvic.com/fulvic-acid-faqs/fulvic-acid-coronavirus-faqs/</u>, you state:

# "Fulvic Acid & Coronavirus FAQs

In these challenging times, health conscious individuals everywhere are exploring as many natural antiviral treatments as possible.

For several decades Humic and Fulvic Acid have been recognized by scientists – as well as by the government's own National Institutes of Health (NIH) – as a powerful antiviral. But because the coronavirus is so new, we know of no research studies that have been conducted on the effectiveness of Humic & Fulvic acid in preventing or treating Covid-19.

So, in this article we answer our customers most frequently asked questions about the *general* antiviral applications of Fulvic acid. We encourage you to share these findings with your personal healthcare provider, so you can make your *own decisions* as to whether you want to add Nature's Fulvic supplements to your health and wellness regimen during the coronavirus pandemic....

#### Who Says Fulvic Acid is an Antiviral?

Several scientific studies have been conducted on the effectiveness of humates (Humic and Fulvic acid) in preventing or treating viruses. As far back as the 1970s scientific reports have found humates to be effective at the prevention and treatment

of viral diseases such as influenza A, herpes, chicken pox, mononucleosis, Ebola virus, Hanta virus, and even HIV. (<u>READ MORE</u> about these studies here.)

In a report entitled 'Broad Spectrum Antiviral Effectiveness of Humates' the US government's own National Institutes for Health studied Humic acid's properties for fighting viral diseases. That study concluded that when Humic acid was consumed before the virus invaded the body, it was highly effective in preventing disease.

#### **Does This Also Mean Fulvic Acid Fights Coronavirus?**

While Fulvic Acid is accepted by the scientific community as a powerful, 100% natural, general antiviral – we know of no studies have [sic] been published on the effectiveness of Humic & Fulvic acid in specifically preventing or treating coronavirus. This is because Covid-19 has only been known for a few months. So we cannot make any representations about Fulvic acid and the coronavirus at this time.

However, scientists do know that all viruses work in the same general way: invading a cell to make it reproduce more of the virus. And the antiviral properties of Humic & Fulvic Acid have been demonstrated as effective against many other viruses. Future studies would be necessary to prove whether Fulvic acid might have the same prophylactic effects on Covid-19. Until such time as approved studies are released, however, we ourselves cannot make any claims about Fulvic Acid and coronavirus either way....

# Should I Take Fulvic Acid as an AntiViral?

In addition to providing general antiviral protection, Fulvic Acid has been scientifically proven to offer the body MANY benefits. During times of stress and/or exposure to *any* virus or *any* other contagious disease supporting the body's overall health is essential.

#### **Proven Benefits of Fulvic Acid Include:**

- Fights viruses
- Supports immune system...

While we do not make scientific claims about the ability of Fulvic acid to fight the coronavirus, we can state with confidence that Fulvic acid offers myriad benefits for optimal health and wellbeing – including general immune boosting as well as the proven ability to fight many other known viruses.

The supplements you put into your body are a decision for you alone, in conjunction with guidance from your own healthcare providers. But with no known side effects, and so many health benefits, many people are turning to Fulvic Acid Supplements as an integral part of their health and wellbeing during these stressful times.

#### **Fulvic Acid AntiViral Supplements**

We cannot make claims about Fulvic Acid's specific effects on coronavirus infection. But, in light of the proven and well-documented antiviral properties and overall health benefits of Humic / Fulvic acid, many of our loyal, long-term customers are taking Nature's Fulvic supplements during quarantine as a *general* prophylactic against infection and disease...."

• On the webpage <u>https://naturesfulvic.com/fulvic-acid-information/humic-fulvic-acid-i-antiviral-can-it-treat-covid-19/</u>, you state:

# "Studies Prove Humic / Fulvic Acid is an Effective Antiviral: But Can it Treat Coronavirus (Covid-19)?

The nonprofit scientific organization Clinical Education, which represents the Institute for Functional Medicine (IFM), published a comprehensive study of the medical research on humic acid's antiviral properties. After compiling and reviewing hundreds of studies they stated: 'Humic Acid may work for most, if not all, viral infections.'

While that is a very broad claim, it is also one that is backed-up by more than three decades of scientific research. As a results [sic] of this and other studies, many people are asking us if this means that 'humates' (Humic and Fulvic acid) are also effective in preventing or treating the new, novel coronavirus.

Obviously, because the Covid-19 virus only appeared a few months ago, no known scientific studies have yet been conducted that specifically research Humic / Fulvic acid's effectiveness on Covid-19. For this reason we can make no claims whether Humic / Fulvic acid has potential to battle coronavirus (Covid-19)[.]

Instead, we will look at the myriad other studies researching the antiviral effects of humates on other viruses. And we will try to present these highly technical studies in lay terminology – so you and your health care provider can decide for yourself if Humic / Fulvic acid is something you wish to consider as part of your daily health regimen.

#### Scientific Studies on Humic / Fulvic Acid as an Antiviral

Coronavirus (Covid-19) is a type of flu – albeit a far more deadly one than most. Since we know of no studies on Fulvic acid and coronavirus, let's start with a study from back in the 1970s that explores the effects of humates on influenza A - as well as other viruses.

In a study entitled 'Medical Aspects and Applications of Humic Substances' doctors at the *Institute for Antiviral Chemotherapy* in Germany reported that Humic

substances were effective against both naked and enveloped DNA viruses in studies on the influenza A virus and the herpes simplex virus type 1 (HSV-1).

Numerous other studies have found that Humic / Fulvic acid also effectively battles the Herpes Simplex virus. A 1992 study by Durre and Schindler showed that application of Humic acid significantly reduced or even completely suppressed herpes in mice.

And, a 1996 study published by Schneider et al. on humates and HIV (the virus responsible for AIDS) reported that Humic acid 'was found to strongly inhibit HIV-1'.

Most notably, in 2002, the National Institutes of Health (NIH) published a report centered on Humic acid's antiviral properties for preventing viral diseases such as influenza, herpes, chicken pox, mononucleosis, Ebola virus and Hanta virus. The government's National Institutes of Health study concluded that Humic acid was highly effective in preventing disease when taken before certain viruses invaded the body.

#### How Humic / Fulvic Acid Fights Viruses that are 'like' Coronavirus

**Remember, we know of no studies that have been conducted on Humic / Fulvic acid's potential to battle coronavirus (Covid-19)**. But we do know that <u>all</u> viruses operate in basically the same way: by invading a body's living cells and rapidly quickly hijacking the cells' machinery to reproduce itself at exponential rates. As these millions of virus cells reproduce themselves, they take over the body causing disease and death.

And, because viruses are not technically 'alive' (like bacteria are) you can't 'kill' them the same way. To fight viruses you have to stop them from reproducing. *Antibiotics* kill bacteria, but have no effect on viruses like the flu, HIV, herpes or the coronavirus. But *antiviral* substances can affect the cells in a way that stops viruses from reproducing themselves.

In very basic terms, many viruses 'like' Humic / Fulvic acid on a molecular level. So these viruses 'binds' to the microscopic humate molecules in places where they might otherwise be binding to the body's cells – stopping the virus from infiltrating the body's cells. And if the virus can't bind to the body's cells, it can't hijack its DNA to make more copies of itself.

Think of it this way: if Mr. Virus is already kissing Miss Fulvic, he can't simultaneously kiss Mrs. Body-Cell ... so Mr. Virus can't infect Mrs. Body-Cell.

More scientifically, this concept was proven in studies in the 1970s through the 1990s and stated this way: 'With most viruses, the inhibitory effect of Humic Acid is directed specifically against an early stage of virus replication, namely virus

attachment to cells' (Klocking and Sprosig, 1975; Schols et al., 1991; Neyts et al., 1992)[.]

# Can Humic / Fulvic Acid Fight Coronavirus?

So, many people are asking us 'if scientists and the government have proven that humates are a highly effective antiviral, can Humic / Fulvic acid help fight coronavirus (Covid-19)?'

The answer is that because the coronavirus is so new we know of no studies on the effectiveness of humates against Covid-19. So, that begs the question: is it safe to try supplements like Nature's Fulvic during these times of heightened concern about wellness? And the answer to that is *absolutely*.

Fulvic acid is 100% natural and organic and is derived from plant matter that was naturally composted over millions of years. Often called 'the miracle molecule' Fulvic acid contains the micronutrients and minerals that the body needs to maintain health – and nothing else.

Not a single medical study has ever shown any risk, side-effects or complications from taking Fulvic acid as a supplement. Even further, Fulvic acid has no known adverse reactions when taken with other supplements.

# Fulvic Acid – Natural AntiViral Supplements

We cannot make any claims about Fulvic Acid's specific effects on coronavirus infection. But, in light of the scientifically proven antiviral properties and health benefits of Humic / Fulvic acid, there is no reason not to take Nature's Fulvic supplements as part of your health regimen.

Since there are no risks – and many documented health benefits – many people are considering Fulvic acid as an essential part of their routine for living a healthy life during these challenging times."

• On the webpage <u>https://naturesfulvic.com/fulvic-acid-information/antivirals-can-fulvic-acid-treat-or-prevent-coronavirus/</u>, you state:

# "Can Fulvic Acid Treat or Prevent Coronavirus?

As leaders in the production of Fulvic Acid supplements, we are frequently asked by people if Fulvic Acid (a known antiviral substance) can also treat or prevent coronavirus (Covid-19). The short answer to that important question is that – at this point in time – we don't know; and in fact scientists do not yet know what does treat the novel coronavirus.

The long answer, however, is that many scientific studies – including research by the National Institutes of Health (NIH) – have shown that Humic / Fulvic acid, when consumed before some viruses invade the body, can be highly effective in preventing certain other diseases.

This article makes no claims as to whether Humic Acid and/or Fulvic Acid can prevent or arrest illness from the coronavirus (Covid-19). However, we would like to share the promising research of the National Institutes of Health (NIH) that has concluded that Humic acid is a highly effective general antiviral.

#### How Scientists Believe Humic / Fulvic Acid Fight Viruses

Scientific studies have shown that if a host cell is penetrated by a virus *before* the introduction of the Humic / Fulvic Acid, the virus will continue to reproduce. But, once the virus reproduces and releases new viruses into the bloodstream the presence of Humic / Fulvic Acid can prevent the new generation of viruses from attaching to additional new host cells.

Research shows that humic acid, of which fulvic acid forms part, binds so strongly to viruses that it can actually displace them from a cell surface. In vitro studies have shown, for example, that if you allow herpes simplex viruses to attach to host cells and then add humic acid to the solution, it will displace viruses from infected cell surfaces. That is, humic acid has a greater affinity for the virus than the virus does for the host cell. Thus, humic acid can actually displace a virus even after it has attached itself to the surface of a cell.

It is important to note **that these studies were not conducted on the coronavirus specifically** – since this strain of virus (Covid-19) has only recently surfaced. However, many people are already asking us if Humic / Fulvic Acid may also be effective in quelling the reproduction of the coronavirus in the body, since it has proven general antiviral properties.

#### NIH Study on Humates as an Antiviral

Almost twenty years ago the National Institutes of Health (NIH) was already studying the antiviral properties of Humic / Fulvic acid. And in 2002 the NIH published a report entitled 'Broad Spectrum Antiviral Effectiveness of Humates'.

This NIH study centered on Humic acid's antiviral properties for preventing viral diseases such as influenza, herpes, chicken pox, mononucleosis, Ebola virus and Hanta virus. The published results of the National Institutes of Health study revealed that Humic acid was effective in preventing disease when taken before a virus invaded the body.

Subsequent tests were performed on multiple other virus types (but not the coronavirus) all of which further confirmed that Humic acid offers broad antiviral protection. (CLICK HERE to read more about this research).

There are many similarities between the Covid-19 virus and the Ebola virus (EBV) and Hantavirus – including risk of severe respiratory distress – although they are not the same virus. So we cannot state if the same antiviral effects of Fulvic acid proven in the NIH study will be effective against coronavirus, as well.

# Fulvic / Humic Acid – The 100% Natural, Nontoxic Antiviral

In addition to having proven antiviral properties, these same tests showed that Humic acid bound itself to human cells but was not itself toxic – and that the Humic / Fulvic acid did not inhibit or interfere with the body's normal cell development or reproduction.

In other words, unlike harsh antiviral medications, Humic / Fulvic acid does not have any 'contraindications' or harmful and dangerous side-effects. This does <u>not</u> mean that humates are a substitute for medications prescribed by your treating physician. (Never discontinue a prescribed medication without first consulting with your doctor.) But it <u>does</u> mean that Humic / Fulvic acid can be safely taken for its antiviral properties by almost any man, woman or child.

Fulvic acid is 100% natural and organic and is derived from plant matter that was naturally composted over millions of years, resulting in the purest most concentrated form of organic matter referred to as humates. Often called 'the miracle molecule' Fulvic acid contains the micronutrients and minerals the body needs to maintain health – and nothing else. Not a single medical study has ever shown any risk, side-effects or complications from taking Fulvic acid as a supplement.

# Buy Antviral [sic] Fulvic Acid Supplements

While we can make no claims about Fulvic Acid's specific effects on coronavirus infection, scientific studies have proven its well-documented antiviral properties. Readers are encouraged to discuss the benefits of Fulvic acid, and any other supplements they are taking, with their personal health care providers – so that they can draw their own conclusions as to what is best for them.

Since there are no known risks – and many documented health benefits – perhaps you too will consider Fulvic acid as part of your routine for living a healthy life during these challenging times."

• On the webpage <u>https://naturesfulvic.com/fulvic-acid-information/the-science-behind-humic-acids-antiviral-properties/</u>, you state:

# "The Science Behind Humic Acid's Amazing Antiviral Properties

# (And What It May Mean for Treating Coronavirus)

In these uncertain times of coronavirus, scientists everywhere are searching for antiviral remedies that will stop Covid-19 in its tracks. For this reason, many people are asking us if Humic Acid – a substance with clinically proven antiviral properties – should be considered with renewed interest.

While we cannot and do not make any claims about Humic acid's effects on coronavirus, in this article we discuss the science behind Humic acid's potent antiviral effects. Most of the information provided is taken from an interview conducted by Focus Allergy Research Group with Richard J Laub, MS, PhD, CChem, FRSC. Dr. Laub is a renowned chemist and a Humic acid expert with nearly 150 peer-reviewed published research papers.

# What is Humic Acid?

Humic acid is a remarkable healing substance with high mineral and micronutrient content, and potent antiviral properties, which is extracted from ancient soil deposits. Humic acid is broken down into Fulvic acid in the human gut – which is a much smaller molecule that can better deliver nutrients to the cells and remain soluble at any pH level.

# How Humic / Fulvic Acid Naturally Fights Viruses

According to Dr. Laub, Fulvic acid binds so strongly to viruses that it can actually displace them from a cell's surface – even after the virus has attached itself to the surface of a cell. Put another way, he states that 'Humic acid has a greater affinity for the virus than the virus does for the host cell.'

Dr. Laub gives the example of an in vitro study he conducted in 1998 in which herpes simplex viruses were allowed to attach to host cells – and then Humic acid was added to the solution. The Humic acid actually displaced the herpes viruses from the infected cell surfaces.

# How Humic Acid Binds to Viruses

Humic acid is flexible, because it is comprised of many chains of molecules – which Dr. Laub describes as a series of interconnected wagon wheels. The 'spokes' go from one wagon wheel (molecule) to the next. And this flexibility is what gives Humic acid its antiviral properties.

Because of its size and flexibility, Humic acid turns out to be a 'broad-spectrum' antiviral that can bind to *many* different viruses. This is because Humic acid's many 'wagon wheels' contain many different and specific groups of atoms, each of which binds to different viruses.

When Humic acid binds to the virus it does so through hydrogen bonding. You may remember from science class that positive atoms attract negative atoms – which is the same force that holds DNA together. Humic acid is somewhat unique in that it carries both positive and negative charges. So humic acid bonds to more viruses, and does so more strongly, than the viruses bond to our body's cells.

Viruses have really sticky sites on them – like Velcro – that enable them to stick to body cells, and invade them. But Humic acids is also like a really sticky piece of Velcro. So, when Humic acid and a virus cell come in contact they bind together very strongly – like two pieces of Velcro.

Clinical research has demonstrated that highly flexible Humic acid can bind to a wide range of viruses, including influenza, Herpes (HSV), HIV, Ebola, Hantavirus and more. However, because the coronavirus was just identified a few months ago, we know of no studies that have been completed yet that explore the effects of Humic acid on Covid-19.

#### How Antiviral Humic Acid 'Neutralizes' Viruses

When a virus attaches to a body cell's receptor, the virus pokes a hole in the body cell and inserts its own DNA into it. The virus DNA uses the cell's 'machinery' to replicate itself and create more viruses, which then go on to bind to (and infect) other cells.

But when Humic acid is introduced – because it is 'stickier' – it binds to the virus so the virus can't attach to the body cells. Therefore the virus can't reproduce itself. And since the virus can't proliferate into large numbers, the body's immune system can eliminate the small number of viruses, without being overwhelmed. And, when not allowed to reproduce themselves, most flu viruses die out in 36 to 48 hours.

#### What Does This Mean for Humic Acid as a Coronavirus Treatment?

Again, we cannot and do not make any representations about Humic Acid's potential to help fight coronavirus (Covid-19). However, Dr. Laub concludes that because of Humic acid's broad-spectrum antiviral action it is likely to work on *many* viruses we carry – including those that have not yet been identified. In fact, he reiterated that he personally takes Humic acid daily and has not had a single cold or flu since 2004.

Only scientific studies will definitively prove whether Humic acid will also be effective at preventing or treating other viruses, such as the coronavirus. However, in light of Humic acid's amazing broad-spectrum antiviral properties, immune support functions, and overall general health and wellness benefits, it is easy see why so many people have incorporated this 100% natural supplement into their daily health regimen.

*This information is taken from an article originally posted on the website of Clinical Education, a nonprofit healthcare education organization.*"

It is unlawful under the FTC Act, 15 U.S.C. § 41 *et seq.*, to advertise that a product can prevent, treat, or cure human disease unless you possess competent and reliable scientific evidence substantiating that the claims are true at the time they are made. For COVID-19, no such study is currently known to exist for the products identified above.<sup>1</sup> Thus, any coronavirus-related prevention or treatment claims regarding such products are not supported by competent and reliable scientific evidence. You must immediately cease and desist making all such claims.

You are also advised to review all other claims for your products and immediately cease and desist claims that are not supported by competent and reliable scientific evidence.

Violations of the FTC Act may result in legal action seeking a Federal District Court injunction. In addition, pursuant to the COVID-19 Consumer Protection Act, Section 1401, Division FF, of the Consolidated Appropriations Act, 2021, P.L. 116-260, marketers who make deceptive claims about the treatment, cure, prevention, or mitigation of COVID-19 are subject to a civil penalty of up to \$46,517 per violation and may be required to pay refunds to consumers or provide other relief pursuant to Section 19(b) of the FTC Act, 15 U.S.C. § 57b(b).

Within 48 hours, please send a message to Assistant Director Mr. Richard Cleland via electronic mail at <u>rcleland@ftc.gov</u> certifying that you have ceased making unsubstantiated claims for the products identified above. If you have any questions regarding compliance with the FTC Act, please contact Mr. Cleland at 202-326-3088.

Very truly yours,

Serena Viswanathan Associate Director Division of Advertising Practices

cc: <u>consumerpolicy@fb.com</u>

<sup>&</sup>lt;sup>1</sup> Although a number of the webpages cited above contain statements that no claims can be made about the effectiveness of fulvic or humic acid to prevent COVID-19 until studies have been completed, such disclosures contradict and are overwhelmed by the stronger claims that these substances are scientifically proven effective against viruses and that all viruses are essentially the same. Moreover, the claim that fulvic or humic acid has been scientifically proven effective against a broad spectrum of viruses is false. Such a claim would require well-controlled human clinical studies.